



**MINUTES OF THE GILA COUNTY  
PLANNING AND ZONING COMMISSION**

**Thursday, April 20, 2017**

GILA COUNTY BOARD OF SUPERVISORS CONFERENCE ROOM

610 E. Highway 260, Payson, AZ

10:00 AM

---

**REGULAR MEETING**

1. The meeting was called to order at 10:00 A.M. by Chairman Mickie Nye.
2. Pledge of Allegiance was led by Chairman Mickie Nye.
3. Roll Call: Therese Berumen called the roll; Chairman Mickie Nye (in Payson), Mary Lou Myers (in Payson), Lori Brown (in Payson), Travis Holder (in Globe), Randy Slapnicka (in Payson) and Terry Otts (in Globe). Bill Marshall is absent. A quorum is present.

Community Development Staff Members Present: Robert Gould-Planner, Margie Chapman-Code Compliance Supervisor/Zoning Assistant, Scott Buzan-Interim Director and Building Official, and Therese Berumen-Administrative Assistant.

4. Introduction of New Member (Bill Marshall). Mickie Nye stated he has known Bill for a number of years. He used to manage APS. He is having surgery on his back and couldn't reschedule it that is why he isn't here today. I look forward to Bill's presence on this commission. He is a really nice guy and I think he will be a huge asset to this group. I will let him talk for himself in a month from now.
5. Review and Approval of Minutes of the Planning and Zoning Commission Hearing on March 16, 2017. Mickie Nye asked if there were any changes needed. None needed. Randy Slapnicka motioned that the minutes be approved as is and Mary Lou Myers seconded the motion. It was unanimously approved.
6. **Planner/Commission Communication:** At any time during this meeting of the Planning and Zoning Commission and Planner Bob Gould of Community Development may present a brief summary of current events. No action may be taken.

Bob Gould stated that he didn't really have anything this morning, other than, that in 2 months I am done. Mickie stated that Bob said that 2 years ago. Bob stated that this time he means it. Mary Lou wanted to acknowledge the service that Walt Smith gave to the Planning and Zoning Commission. He passed away and his services are being held this Saturday.

**Public Hearings:**

7. **CUP-17-01 Lance Massey:** An application to allow the increase of a cellular tower height from 150 feet to 162 feet, for parcel 304-37-009B located in the area of Jake's Corner currently zoned GU (General Unclassified). Mickie Nye stated that Lori Brown had something to say. Lori Brown stated that she would have to abstain from this hearing because the tower sits on her property.

She also stated that she was against it because she wasn't on the application and didn't know anything about it. Bob Gould stated that this application got through, as an error on his part. He explained that when an application comes through, if the applicant isn't the owner, we require an authorization form. We have, in the past, accepted lease agreements. It turns out, the applicant, Lance Massey, did include a lease agreement, but it wasn't signed by the owner. Because of that, it is not a completed application and can't legally be considered. I would ask the Commission, at this time, to just table the consideration to a specific date. The date of our next meeting is May 18, 2017. I would make a motion to table any discussion on this application until the application is completed. Mickie Nye stated that he had a question. When are we having the special meeting, is this being heard on the 18th or the 23<sup>rd</sup>? Bob stated that the special meeting in Pine was changed to May 16th. Mickie stated ok, it could be, that's a Tuesday. Randy Slapnicka asked what the special meeting was concerning. Bob confirmed that the special meeting in Pine was concerning the comprehensive plan. Mary Lou Myers motioned to table item CUP-17-01, the application to allow the increase of a cellular tower, until the next meeting. Travis Holder seconded the motion. The motion was unanimously agreed to table the hearing.

8. **CUP-17-02 Lisa A. Bramoff:** An application to allow the placement of an offsite sign located on Parcel 301-08-230 located at 7789 West Ralls Drive in Strawberry currently zoned C2 (Commercial Two District). Bob Gould stated they don't normally allow off premise signs, but in this particular case, there is a parcel right in front of the restaurant, that is located right off the highway. What they are asking is to be able to place the sign on the other parcel and they do have an agreement with the property owner, to do this. We don't see a problem with this because if they were to place the sign on their property, nobody would be able to see it. Staff would recommend that this application be approved as is. Lori Brown asked if the sign was just to promote their restaurant. Bob stated, that yes, it was only for that purpose. Randy Slapnicka asked if they were going to be leasing the property from the property owners. Bob stated that he didn't know exactly what the agreement was between them, that he just knew there was an agreement and the property owner has agreed to let them place the sign there. Mickie asked if the sign was made out of wood. Bob stated that yes; it was made out of wood. Mickie Nye opened the meeting to public comment and closed it because no public input was heard. Lori Brown made the motion to approve CUP-17-02, an application to place an offsite sign on Parcel 301-08-230, which is located at 7789 W. Ralls Dr., in Strawberry, currently zoned C2. Mary Lou seconded the motion. The motion was unanimously approved.
9. **CPA-17-01 and Z-16-04 Robert Verheyen:** An application to amend the Land Use Designation and the Zoning Designation for parcel 301-12-009Y, located in Pine, AZ. The purpose of this amendment will allow the property to be developed into a 31 unit RV Park. Bob Gould asked if item 9 and item 10 on the agenda could be heard as one agenda item. Mickie asked the other commission members if they had a problem with that. No Commission member had a problem with it. It was agreed to hear item 9 and item 10 concurrently. Bob stated that the property is currently zoned R1-D12 (Residence One District with minimum 12,000 square foot lots) and the applicant is wanting to change the zoning to TR/T (Transitional Residential with a "T" Overlay). For the purpose of creating a 31 space RV Park. A concern I have pertaining to this is the roadway into the parcel. It is not adequate for the traffic and size of RV's that will be traveling along it. We are asking that this comp plan be re-designated for multi-functional corridor. At the current time, right across the easement, to the North, there is a mobile home park with RV's and manufactured homes in it, and it is an older one. Pretty sure it is grandfathered in. The properties to the South, East and the West of Mr. Verheyen's property are currently residential

development. We believe Mr. Verheyen did file an application with ADOT concerning the egress and ingress of the private easement and the left hand turning lane. On Hwy 87, starts at 55 MPH and then comes down to 35 MPH and that would make it very difficult for people to slow down enough to be able to turn. It is just a hazard in our eyes. I have it in my report that is a stipulation upon approving this, that we need ADOT's approval. No permits have been issued for this parcel and at this time there is an RV on the parcel. There are also a lot of equipment and storage units on the parcel. These would also need to be rectified. We don't see any environmental situations on the property. I don't have a recommendation at this time because we are missing the road information. Mickie Nye asked Bob if they were only there to approve the rezoning and the comp plan, if they choose to. We have nothing to do with the roads. Bob stated that yes, that is correct, but you need to consider the road situation as a condition. Mickie also stated that they can't represent ADOT and what their requirements are. Also stating that they have no requirements when it comes to the sewer and water issues. Mickie asked the Verheyens to come up and make their presentation. JPak, Robert Verheyen's wife, introduced herself and stated that she would like to address the board and then if the public had any questions or concerns, she would like the opportunity to address them. Mickie said that was fine. JPak stated that, just like last February when she addressed the board the first time, her and her husband bought a place in Pine about 10 years ago and realized Pine was a place that they wanted to invest their time and money into. They noticed when they were driving back and forth from Phoenix, that there was a lot of RV traffic just passing through Pine because there was no place for them to stop and stay. We are heavily involved in the community and we are very committed to it as well. We bought the parcel about 3 years ago, which is about 2 ½ acres and started thinking what we could do that would benefit Pine and bring more people in. We know that RV Parks sometimes have a negative connotation. We have some in Pine that are not well kept and that allow for permanent residency. That is not our intention and not our mission. Our goal is to come up with a relatively small RV resort that brings in higher scale RV's. We plan on promoting the park mostly through social media and only doing online reservations. Planning on only allowing people to come into the park between 9 and 5, not after or before that. We won't be allowing permanent stays, only temporary stays. Anywhere from 2 days to a month. We are also looking to have the park only be seasonal. The people we will be having here will be screened thoroughly. We really want to focus on the upscale and experienced RV'ers. These are not generally the people that come to have open fires, beer parties or cause a lot of havoc. I know the town of Pine is a small one, but I am hoping it isn't small minded. Bob clarifying that the Commission is not small minded. Randy Slapnicka asked JPak that when they purchased the property 3 years ago, what was their plan at that time to do with it and at the time, they knew it was zoned residential. Our plan was always to develop it at some time and we did realize it was zoned residential, but we have worked with the commission and the county before on a rezoning. Randy stated that he commended their thought process and what they want to do with it, but economically, just coming off Hwy 87 could be anywhere from \$100,00 to \$150,000, for the egress and ingress from ADOT and \$25,000 to \$30,000 for each space in the RV Park, for the kind of park you are talking about. You are well over a million dollars on a 2 ½ acre piece of property. Randy asked JPak if they were aware of that. JPak responded with, yes sir. She also stated that they live in the community, have the vision and the reserves to make it happen. Randy wanted to clarify if the egress/ingress was 24' wide because a lot of the newer and upscale RV's are 40 feet. JPak stated that yes it was and they were working with ADOT to get it figured out. We intend to fully commit to this project and do all that is asked and required of us. Randy asked if they planned to have any swimming pools, or recreation rooms, like a lot of the newly upscale resorts do. JPak stated that no, they did not plan on that, but might eventually put in



Ramadas and barbecue grills. She said they didn't feel they needed to provide entertainment because Pine offers enough for them to do. Lori Brown stated that the people that are only looking to stay a few days to a week are the ones that are going to cause a lot of the traffic issues, that she thinks is where a lot of the concern lies for the community. Randy asked JPak if they had done a full business plan on the project. JPak stated that they have not done a full business plan on this yet. Randy asked what they thought their revenue was going to be per day. JPak stated that she thinks somewhere between \$60 and \$85. Lori asked JPak if they have figured out what they were going to do septic wise. JPak stated that they haven't done anything with that yet because they have been dealing with the rezoning process, but it is something that will be taken care of. JPak stating like Mickie said, they were there to take care of the rezoning factor and then they will proceed with everything else. Terry Otts stated that most of the upscale coach RV's are 40 feet long and most people that are traveling long distances will tow a small car behind them too. Legally they can have 65 feet. He asked if there was enough room for them and if they had spaces to park the extra vehicles. JPak stated that they will be working with ADOT to accommodate the length and there will be space for them to park a small car next to their RV. Mary Lou stated her concern was changing the zoning from residential, when other neighboring properties are residential could cause some concern. Randy Slapnicka stated that there was an RV park just to the North of the parcel. Mary Lou stated that was grandfathered in and has been there a long time. Barbara and David Walls, owners of the property just to the West of the Verheyen's property wanted to address some of the points JPak made in her presentation. First, the communication from the Verheyen's has been very poor. We purchased the property in December and didn't hear about the meeting in February until the day after. They did send us an email about two weeks prior to this meeting, but we still feel the communication is lacking on their part. The safety of everyone in the park and everyone that live around the park, if a fire would ever happen, is very unsafe. They also say that no work has been done on the property, but our powerpoint will show otherwise. Lastly, it is not small minded of us to want to keep the property around us residentially zoned. Mickie wanted to clarify that he wasn't sure what happened, if anything with realtor, title company or assessor's office, but knows we sent out notifications to the 300 foot radius, like we are required to do and your name was not listed. I feel that we have been very transparent and compliant when it comes to this case. The property is also posted and pictures are taken to show it was. A legal notice is also posted in the Arizona Silver Belt. I think it was just a timing issue. JPak stated that she didn't think it was fair that they are being said to have poor communication when they followed what planning and zoning set forth. Mrs. Walls stated it was mostly the email that they sent, is what she was referring to. Mr. and Mrs. Walls started their presentation stating that they have served their communities for a combined total of over 63 years. We have always been good neighbors and since moving in, David has taken the time to meet all of the neighbors who live adjacent to our property. We put a lot of effort and thought into finding the perfect spot to retire. We looked at real estate in the Payson area for 3 years. We moved from California and have a lot of family that live here in Arizona. We didn't come here to change anything. We like it just the way it is. Pine is perfect! We like the charm and the serenity. Our property is 2.5 acres and surrounded mostly by pasture and residential property. The Northeast corner has a 75 foot common boundary with a trailer park, but is only 5% of our total property boundary. We don't care about 5%. If this is approved, 39% of our boundary will be covered by trailer and RV parks. We can't see the trailer park from our porch, but we would have the RV Park right in front of us, when we sit on our porch. Our house sits on a hill, about 30 or 40 feet above the pasture and installing a fence will not block our view of the RV Park. Drainage from chemicals, such as fuel, engine oil, grease, coolant, and hydraulic fluid is bound to find its way into the ground. Rain and

melted snow will cause drainage of contaminated water and chemicals into the ground and onto our property. The septic system and RV waste dumping is a big concern of ours. A new septic system is an experiment. RV's will connect their systems to the septic and leaks and spills will happen. The wildlife was one of the main attractions that brought us to this property. Herds of elk transit through our pasture and yard. We have even seen white tail deer and evidence of a mountain lion. Many, many kinds of birds also and I love bird watching. It is a known migration route, not just through our property, but Mr. Verheyen's as well. An RV park in this location will disturb the elk and deer. Planning and Zoning provide critical functions for the community. This area was planned and zoned as a residential area for many very good reasons and the zoning shouldn't be changed. The increase in traffic is going to be an issue. The entry and exit to the RV Park will be in the worst possible location. The speed changes from 35 MPH to 50 MPH, people from the North do not slow down and are coming around a blind corner, people from the South accelerate early and may not have time to stop, if an RV is in the middle of the road trying to turn. Property owners will have to give up some of their property, when the road has to be widened. There just isn't enough road. Rusty Kovalik, a property owner along the road that leads to the Verheyen's property, stated that he already lives right up against his property line and doesn't have any area to give. The Walls continued with their presentation talking about public safety in case of a wildfire. If and when the Pine area burns, it will be extremely difficult to evacuate its residents. An RV park in this area will only make it more difficult to evacuate. Well contamination is also a concern for us because our well currently produces, and to the best of our knowledge always has produced a lot of clear, good tasting water that is safe to drink. Our well is 30 feet from Mr. Verheyen's property line. Lori Brown stated they will have to remain 100 feet from the well. None of our neighbors want this change. Nobody wants to live next to an RV Park. Pine already has several trailer parks and RV parks. For such a small population, Pine has at least 7 trailer parks, RV parks and resorts. There is no need for another one. At what point does Pine change from a great place to live to a place known for all of its trailer parks and part-timers? What happens if this RV park fails to turn a profit? The damage will already be done. Noise is another huge factor for us. There are few barriers between the RV park and the areas of our house where we will be spending most of our time. Just the other day, somebody was running an excavator and we could hear it in our house. Also, in the summertime, you are going to have every RV running their air conditioning units and we will hear a constant buzz all summer. The loss of the night sky is very troublesome for us. An RV park will put a lot of light in areas that are currently very dark. You can't just put up some shields and call it good. It would never be the same. Property values in this area will go down and be harder to sell. We would have had serious second thoughts, had we known that they were planning an RV park right next door. Please look at all the letters of support we have on our side. The community spoke loud and clear when someone wanted to bring in a dollar general to the area. They made it clear that bringing in money wasn't the biggest issue that keeping the quiet and charm of Pine were. In 2006, Proposition 207 (Private Property Rights Protection Act) passed. Voters don't want people to lose property value due to other property owner's profit. We don't want to be forced to use Proposition 207. In conclusion, Pine does not need another RV park. If Pine needs an RV park, it shouldn't be in a residential setting. Our neighborhood is the worst possible place to have it. Mickie asked Mr. and Mrs. Walls if they had a specific example of why they feel their property value will be affected. Mrs. Walls stated just common sense and our realtor.

**Public Comment Section Opened.** Adjacent property owners that are opposed spoke about their property values, traffic issues, an RV park not belonging in a residential area, noise levels and issues with drainage when it rains. Mickie stated that grading, drainage and floodplain issues will

be dealt with before any permits are issued. Persons in favor of the rezoning spoke about what a great developer Robert Verheyen is and what a positive effect this park would have for Pine, as a whole. Mr. and Mrs. Walls' realtor stated that she helped them find their dream home and thinks they deserve to be able to enjoy it, without living next to an RV Park. Mickie stated that he understands both sides and he won't be happy either way, when he leaves the meeting today. JPak and Robert Verheyen stated that they understand the Walls' side and it happens. Mr. Verheyen stated that he wishes it could have been on different circumstances because he likes to get along with everybody. He also stated that he thinks the realtor should have done their homework and made more of an effort to get Mr. and Mrs. Walls to find out what was going on with the property, like why there was a fence up, and why there was heavy equipment on the property. Mr. Walls said they were told the property was being used for storage. JPak stating that they have their position and the Walls' have theirs. Also stating that they are not just business owners, they are property owners as well. Randy Slapnicka asked Mr. Verheyen if they didn't get the rezoning, what they planned on doing with the property. Mr. Verheyen stated that what the Walls' don't understand is that we could go to a single family unit in there and they will put a septic and they could have dogs. JPak stated they just don't know yet. We are fully committed to this park and until such time, we don't have a plan B. **Public comment section closed.**

Mary Lou stated that she understands both sides. Robert and JPak have done wonderful things in Pine. She also stated that she has very strong feelings about them trying to put something in an area that has been residential all along. Bob stated that yes; the Verheyens have done some wonderful things in Pine, but believes the residents that live in that area should have the loudest voice in this matter. Lori stated that she feels the same as Mary Lou because she has an RV park. They had land and wanted to develop it. I can see both sides. We have mixed emotions here and I think we have a great commission and we do listen to both sides. Randy Slapnicka motioned to deny CPA-17-01 to amend the land use designation for parcel 301-12-009Y, located in Pine, currently designated for residential development to multi-functional corridor. Mary Lou Myers seconded the motion. Randy Slapnicka motioned to deny Z-16-04 to amend the zoning designation for parcel 301-12-009Y located in Pine, currently zoned R1-D12 to TR/T. Travis Holder seconded. The motion to deny CPA-17-01 and Z-16-04 was unanimously denied.

10. Elk Rim Subdivision: Bob stated this will be an 18 lot subdivision. There are 2 parcels zoned TR and each are 2 acres in size. What they want to do is create an 18 lot subdivision with each lot being between 6,000 to 8,000 square feet, in size. We are doing this as a small division subdivision, which means we won't come back to you with the final plat. The final plat will go directly to the Board of Supervisors. You have to make sure there are no issues or concerns after this meeting. We have put it out to the Public Works Department, Fire District, Sherriff's Department and the utility companies. So, everyone is aware of it. Part of the process is to make sure all and any issues are addressed by everyone before we submit the final plat. I don't see any major issues with this. I think the biggest issue is the zoning for these parcels. This zoning does allow single family development. It also allows other business uses as well. The applicants are not requesting to rezone at this time. This could lead to issues in the future, when you have a residential neighborhood and someone wants to develop a small business. The applicant should, at some point consider R1-D6 zoning to protect future property owners. Lori Brown asked if they would all have their own septic. Bob stated that no, they would be hooked up to a public sewer and water system. Mary Lou stated she needed to excuse herself from any decision making because she was involved in some of the real estate. Terry Gorton stated that her and Rick Vesei

own the property. She stated that this parcel is not part of the Portal IV subdivision HOA, that they will have their own. Portal IV subdivision has a subcommittee that we are in constant contact with. We have identified the issues that we need to work through. Their biggest concern is that we contribute to the road maintenance. We have no issues with that; we plan to contribute to that. We are in the process of trying to track down the original plat to confirm density. Mickie asked if the road going to the subdivision will be county maintained or privately. Terry Gorton stated that it will be privately maintained and the HOA will take care of that. Scott Buzan asked Bob if the egress/ingress was a requirement. Bob stated that it would nearly be impossible in this case and they hadn't done it in so long. Terry Gorton stated that they were getting approached by mostly people from the Valley and people who wanted second homes. Also wanted small lots that were easily maintained. Lori Brown motioned to recommend The Board of Supervisors approve final plat when submitted to them as long as it complies with all the conditions set forth: 1. The engineer for this project will address all comments to the satisfaction of the Public Works Director prior to recording of the final plat, 2. The Floodplain Administrator shall approve the Drainage Report prior to recording the final plat, 3. The applicant shall submit assurances of subdivision improvements prior to recording the final plat, 4. No lots shall have completed the sales process prior to improvements being completed and approved by the Planning & Zoning Commission, 5. Applicant shall provide "will serve" letters for Sanitary and public water prior to recording the final plat, 6. The applicant shall provide letters from the Sheriff's Offices and Fire District stating they can provide adequate services. Randy Slapnicka seconded the motion. The motion to recommend that The Board of Supervisors approve the final plat, along with the conditions set forth, was unanimously approved.

11. **Adjournment.** Mary Lou Myers made a motion to adjourn the meeting and Lori Brown seconded the motion. The Motion to adjourn was unanimously approved at 12:47 p.m.